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# AMENDMENT TRANSMITTAL LETTER

Docket No.  
SPINE 3.0-2678

Application No.  
10/004,969

Filing Date  
December 3, 2001

Examiner  
P. Philogene

Art Unit  
3732

Applicant(s): Stephen Bresina

Invention: APPARATUS FOR FUSING ADJACENT BONE STRUCTURES

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TECHNOLOGY CENTER R3700

## TO THE COMMISSIONER FOR PATENTS

Transmitted herewith is an amendment in the above-identified application.

The fee has been calculated and is transmitted as shown below.

CLAIMS AS AMENDED					
	Claims Remaining After Amendment	Highest Number Previously Paid	Number Extra Claims Present	Rate	
Total Claims	22	- 22 =		x	0.00
Independent Claims	4	- 3 =	1	x 86.00	86.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					
Other fee (please specify):					
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT:					86.00

☒ Large Entity

☐ Small Entity

☐ No additional fee is required for this amendment.

☒ Please charge Deposit Account No. 12-1095 in the amount of \$ 86.00.  
A duplicate copy of this sheet is enclosed.

☐ A check in the amount of \$ \_\_\_\_\_ to cover the filing fee is enclosed.

☐ Payment by credit card. Form PTO-2038 is attached.

☒ The Director is hereby authorized to charge and credit Deposit Account No. 12-1095 as described below. A duplicate copy of this sheet is enclosed.

☒ Credit any overpayment.

☒ Charge any additional filing or application processing fees required under 37 CFR 1.16 and 1.17.

Raymond W. Augustin  
Attorney Reg. No.: 28,588

Dated: December 8, 2003

LERNER, DAVID, LITTENBERG, KRUMHOLZ & MENTLIK, LLP  
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I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: December 8, 2003

Signature: Raymond W. Augustin  
(Raymond W. Augustin)



Docket No.: SPINE 3.0-2678

(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**In re Patent Application of:  
Stephen Bresina**

**Application No.: 10/004,969**

**Filed: December 3, 2001**

For: APPARATUS FOR FUSING ADJACENT  
BONE STRUCTURES

: Group Art Unit: 3732

: Examiner: P. Philogene

**Commissioner for Patents**  
**P.O. Box 1450**  
**Alexandria, VA 22313-1450**

## AMENDMENT

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Dear Sir:

In response to the official action mailed September 17, 2003, applicant submits the following amendments and remarks.

12/12/2003 SSESHE1 00000002 121095 10004969

01 FC:1201 86.00 DA.

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**Dated: December 8, 2003**

**Signature:**

(Raymond W. Augustin)